IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 7547 of 2004

Between:
Ch.Anjaneyulu, S/o Sheshaiah,
Water Quality Monitoring Lab, District Headquarters Hospital Premises,
Karimnagar.

..... PETITIONER

AND

1 State of A.P.rep.by Director, Institute of Preventive Medicine Public Health Labs &
Food (Health Administration, Narayanaguda, Hyderabad.
2 State of A.P.Rep.by its Secretary to Government Health, Medical and Family Welfare Department, Secretariat,
Hyderabad.
3 G.Laxminarayana Reddy, S/o
Institute of Preventive Medicine Public Health Labs and Food (Health) Administration, A.P.Hyderabad.

.....RESPONDENT(S

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more in the nature of Writ of Certiorari calling for the records relating to order of the Hon'ble A.P.Administrative Tribunal dated 13th November, 2003 in O.A.No.3701 of 1998 and quash the same in so far as para 12 is concerned and further direct the respondents to regularize the services of the petitioner with effect from the date of his initial appointment

For the Petitioner:MR.J.R.MANOHAR RAO

For the Respondent No.: GP FOR MEDICAL HEALTH

& FAMI.WELFARE

The Court Made the Following :

THE HON'BLE MR. JUSTICE G. BIKSHAPATHY
AND
THE HON'BLE MR. JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO. 7547 OF 2004

ORAL ORDER : (per G.B., J.,)

This Writ Petition is filed challenging the order passed by the A.P. Administrative Tribunal in O.A.No.3701 of 1998, dated 13-11-2003.

2. The 3rd respondent Sri G.Lakshminarayana Reddy filed O.A.No.3701 of 1998 before the Tribunal, seeking regularization of service with effect from the date of his initial appointment on contract basis in 1990. The Tribunal after considering the matter directed the authorities to regularize the services from 1-08-1994. However, the petitioner was appointed on contract basis in 1990 on consolidated payment of Rs.2,000/-. But however, he was given regular pay scales with effect from 1-08-1994 and he was, however, regularized from service with effect from 26-09-1994. He made his grievance by way of application dated 10-1-2000 before the authorities to regularize his services from the date of initial appointment on contract basis in 1990. To the said letter, a reply was issued by the authorities on 16-08-2003, to the effect that similar issue was pending before the Tribunal in O.A.No.3701 of 1998 filed by G.Lakshminarayana Reddy and the application of the petitioner will be considered as and when final orders were passed by the

Tribunal. As already observed, the Tribunal passed the orders in O.A.No.3701 of 1998, directing the regularization of services of the 3rd respondent G.Lakshminarayana Reddy from 1-08-1994. But, however, observed in the said order that the benefit of regularization will be confined only to the 3rd respondent and not to the others. Aggrieved to the said limited extent order, the present Writ Petition has been filed by the petitioner herein after obtaining the leave.

3. The learned counsel for the petitioner Sri J.R.Manohar Rao submits that the order of the Tribunal is illegal and contrary to law when an application was made to the authorities to regularize services from the date of initial appointment and when the categorical reply was issued to him stating that the similar matter was pending before the Tribunal and therefore, as and when the final orders are passed, the same will be considered to him. The department is expressing its inability in view of the orders passed by the Tribunal to the effect that the relief must be confined only to the 3rd respondent therein.

4. But, however, we find that the petitioner is not a party before the Tribunal and that the petitioner was assured by the department that the relief granted by the Tribunal will also be implemented to the petitioner. Under those circumstances, we are of the considered view that the regularization of the services as per the orders of the Tribunal to the 3rd respondent should also be implemented to the petitioner as he stands on the same identical footing.

5. Under those circumstances, the Writ Petition is disposed of, directing the authorities to regularize the services of the petitioner as per the directions issued in O.A.No.3701 of 1998 in respect of the 3rd respondent.

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G.BIKSHAPATHY,J

22nd June, 2004.

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B.SESHASAYANA

REDDY,J

Kvr

Copy to

1 State of A.P.rep.by Director, Institute of Preventive Medicine Public Health Labs & Food (Health Administration, Narayanaguda, Hyderabad.

2 State of A.P.Rep.by its Secretary to Government Health, Medical and Family Welfare Department, Secretariat, Hyderabad.

3. Two C.Cs to the Government Pleader for Services – I, High Court Buildings of High Court of A.P., Hyderabad.

4. Two C.D.copies.

5. The Registrar, Andhra Pradesh Administrative Tribunal, Hyderabad.